

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
NORTHERN DIVISION**

RICHARD ARGUN KAUL, MD

PLAINTIFF

v.

CIVIL ACTION NO. 3:24-cv-00621-CWR-LGI

JAMES PAUL OETKEN, et al.

DEFENDANTS

AMENDED ORDER STAYING DISCOVERY

This cause comes before the Court *sua sponte*. On December 30, 2024, this Court entered an Order Staying Discovery and Cancelling Conference (Docket No. [21]), after Immunity and Jurisdictional Defense Motions were filed in the case. *See* Docket Nos. [12], [15]. Pursuant to Rule 16(b)(3)(B) of the Local Uniform Civil Rules for the Northern and Southern Districts of Mississippi,

Filing . . . a motion asserting an immunity defense or jurisdictional defense stays the attorney conference and disclosure requirements and all discovery, pending the court's ruling on the motion, including any appeal.¹

Thus, the Court's Order [21] stayed **all** discovery in this case. A review of the case docket reveals that discovery appears to be ongoing² and that several discovery-related motions have been filed since the case was stayed.

Noting the Court's initial Stay Order [21], IT IS ORDERED that counsel for parties **shall promptly cease all discovery efforts**, until such time that Judge Reeves rules on the pending Immunity and Jurisdictional Defense Motions (Docket Nos. [12] and [15]), **and** this Court holds a telephonic case management conference setting forth scheduling order deadlines.

¹ The Court's initial Order Staying Discovery [21] in this matter incorrectly quoted a previous version of the Local Rule 16(b)(3)(B). The instant Order modifies, *sua sponte*, the previous language to reflect the current version of the local rule.

² *See* Subpoena issued as to James Paul Oetken [28] and Subpoena issued as to Anthony Benevenga [34].

Following ruling(s) on the pending Motions, the parties shall advise the Magistrate Judge of decisions on the motions and shall submit a proposed order lifting the stay, if appropriate. A telephonic case management conference shall then be scheduled following the lifting of the stay. The parties should notify the Court by letter if within fourteen (14) days of the lifting of the stay they have not received notice of the case management conference.

In light of the Court's Order Staying Discovery [21] and the foregoing order directing parties to promptly cease all discovery efforts, the Court hereby quashes the Subpoena issued to James Paul Oetken [28] on January 14, 2025 and the Subpoena issued to Anthony Benevenga [34] on March 10, 2025. Likewise, the Court DENIES AS MOOT Plaintiff's Motion for Clarification as to Discovery [26], Defendants' Motion to Strike Motion to Clarify [32], and Plaintiff's Motion for Order of Contempt against Defendant James Paul Oetken [35].

SO ORDERED this the 19th day of March, 2025.

/s/ LaKeysha Greer Isaac
UNITED STATES MAGISTRATE JUDGE